

ORDINANCE 2014-07

**AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS,
STATE OF NEW JERSEY, AMENDING THE CODE OF THE TOWNSHIP OF
CHATHAM CHAPTER II, ARTICLE III, SECTIONS 2-11.3, 2-11.4, 2-11.6 and 2-11.15,
POLICE DEPARTMENT**

BE IT ORDAINED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that certain sections of Chapter II, Article III, Section 2-11, et seq., entitled Police Department, of the Code of the Township of Chatham are hereby repealed and replaced as follows:

1. Section 2-11.3. **Supervision of the Police Department.** The Chief of Police shall be the head of the Police Department and shall be directly responsible to the appropriate authority for the efficiency and routine day-to-day operations thereof, pursuant to policies established by the appropriate authority in accordance with N.J.S.A. 40A:14-118.
2. Section 2-11.4. **Duties of the Chief.** Subject to policies established by the appropriate authority, the Chief of Police shall:
 - a. Administer and enforce rules and regulations and special emergency directives for the disposition and discipline of the force and its officers and personnel;
 - b. Have, exercise and discharge the functions, powers and duties of the force;
 - c. Prescribe the duties and assignments of all subordinates and personnel;
 - d. Delegate such of his authority as he may deem necessary for the efficient operation of the force to be exercised under his direction and supervision;
 - e. Report at least monthly to the appropriate authority, through the Township Administrator, on the operation of the force during the preceding month and make such other reports as may be requested by such authority.

As used in this section, “appropriate authority”, means the Public Safety sub-committee of the Township Committee.

Except as provided herein, the Township Committee and individual members thereof shall act in all matters relating to the police function of the Township as a body, or through the appropriate authority.

3. Section 2-11.6 **Special Police.** In accordance with N.J.S.A. 40A: 14-146.10 the Township Committee may, as it deems necessary, appoint special law enforcement

officers sufficient to perform the duties and responsibilities authorized by N.J.S.A. 40A:14-118. “Special law enforcement officer” means any person appointed to temporarily or intermittently perform duties similar to those performed regularly by members of the police force, or to provide assistance to the police force during unusual or emergency circumstances, or at individual times. Any person so appointed shall meet the eligibility criteria as set forth in N.J.S.A. 40A:14-146.10.

4. Section 2-11.15 **Suspension and Removal**. Except as otherwise provided by law, no permanent member or officer of the police department shall be removed from his office, employment or position for political reasons, or for any cause other than incapacity, misconduct, or disobedience of rules and regulations established for the government of the police department and force, nor shall such member or officer be suspended, removed, fined or reduced in rank from or in office, employment, or position therein, except for just cause as hereinbefore provided and then only upon a written complaint setting forth the charge or charges against such member or officer. All suspensions and removals of officers shall be in accordance with N.J.S.A. 40A:14-147 et seq. as may be amended from time to time.

The Township Administrator is hereby designated to hear any complaints brought against members of the force and shall have the power to subpoena witnesses and documentary evidence. The Superior Court shall have jurisdiction to enforce any such subpoena. The Township Administrator may, with the approval of the Township Committee, appoint a hearing officer to conduct any such hearing. The Township Administrator or designated hearing officer shall issue a report to the Township Committee of his findings along with a recommendation which may be accepted, rejected or modified by the Township Committee.

5. All other provisions of Article III, Chapter II, Section 2-11 shall remain unchanged.
6. This ordinance shall take effect as provided by law.

Introduced: March 13, 2014
Adopted: April 10, 2014
Attest:

TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY

BY: _____
Kevin M. Sullivan, Mayor

Gregory J. LaConte, Clerk